

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

SHAUNTE ROBERTSON,)
)
Plaintiff,)
) No. 07 C 4398
v.)
) Magistrate Judge
THOMAS DART, as SHERIFF OF COOK) Jeffrey Cole
COUNTY, et al.,)
)
Defendants.)

DEFENDANTS' MOTION IN LIMINE NO. 3

**DEFENDANTS' MOTION IN LIMINE TO BAR
REFERENCE OTHER PUBLICIZED INCIDENTS**

Now come Defendants and move this Court for an Order *in limine* barring Plaintiff from offering any testimony, evidence, or argument regarding any other incidents involving the use of excessive force by law enforcement personnel. Defendants' motion should be granted because any reference to such incidents would serve only to unfairly interject collateral matters and inflame the passions of the jury against the Defendants. In support of their motions, Defendants state as follows:

There are a number of other incidents which have aroused considerable passion in the community and received a great deal of publicity. A trial court judge maintains broad discretion in the admission of evidence and in ruling upon a motion *in limine* to ensure that the trial is fair and just. Fed. R. Evid. 102. Here, the Court should eliminate any opportunity to improperly inflame the passions of the jury by precluding Plaintiff from introducing any prejudicial material regarding publicized incidents of law enforcement using excessive force in the presence of the jury. The Court should also eliminate Plaintiff from making any such argument(s) that the frequent media coverage of law enforcement using excessive force is evidence that "these occurrences do happen,"

or any argument along those lines.

WHEREFORE, Defendants request that the Court enter an Order *in limine* consistent with the relief sought by this Motion.

Respectively submitted,

/s/ Michael L. Gallagher
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